



**\*\*EXPEDITED PROCESSING\*\*  
REQUESTED**

Dkt. 43966-CA-PCT-US/JPW/AJD

1648  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Graham P. Allaway et al.  
Serial No.: 09/412,284 Examiner: Jeffrey S. Parkin  
Filed: October 5, 1999 Group Unit: 1648  
For: MONOCLONAL ANTIBODIES AND METHOD FOR INHIBITING  
FUSION OF HIV-1 TO CD4<sup>+</sup> CELLS

1185 Avenue of the Americas  
New York, New York 10036  
March 24, 2005

Date of Notice  
of Allowance: January 11, 2005

Confirmation No.: 9473

Issue Fee Paid: February 22, 2005

Mail Stop PGPUB Drawings  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION FORWARDING FORMAL DRAWINGS**

This Communication is submitted in response to the Notice of Allowability issued January 11, 2005 by the U.S. Patent and Trademark Office in connection with the above-identified application. The Notice of Allowability did not indicate that corrected drawings must be submitted, i.e., Box 6 was not checked. Accordingly, applicants paid the issue fee on February 22, 2005 without submitting formal drawings. However, applicants subsequently realized that a Notice of Draftsperson's Patent Drawing Review (Form PTO-892) had been issued together with the December 19, 2000 first Office Action. Applicants attach hereto as **Exhibit A** a copy of the PTO-892 form, which lists objections to Figures 1-6.

The PTO-892 form states that applicants are required to submit acceptable corrected drawings within the three-month shortened

Applicants: Graham P. Allaway et al.  
Serial No.: 09/412,284  
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Page 2

statutory period set in the Notice of Allowability. Also, according to 37 C.F.R. §1.85(c), if a corrected drawing is required or if a drawing does not comply with §1.84 at the time an application is allowed, the Office may notify the applicant and set a three month period of time from the mail date of the Notice of Allowability within which the applicant must file a corrected or formal drawing in compliance with §1.84 to avoid abandonment. Thus, formal drawings are due by April 11, 2005. Accordingly, this Communication is being timely filed.

The December 19, 2000 Notice of Draftsperson's Patent Drawing Review states that the numbers and reference characters in Figures 1-6 are not plain and legible, and that numbers, letters and reference characters must be at least 0.32 cm (1/8 inch) in height.

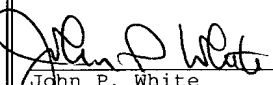
In response, applicants attach hereto as **Exhibit B** five replacement sheets containing corrected Figures 1-6. Applicants maintain that, in compliance with 37 C.F.R. 1.84, the numbers, letters and reference characters in these replacement figures are plain and legible, and are at least 0.32 cm in height. Applicants respectfully request that replacement Figures 1-6 be inserted after page 66 in the application.

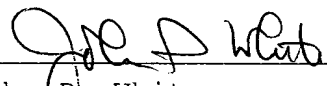
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants: Graham P. Allaway et al.  
Serial No.: 09/412,284  
Filed : October 5, 1999  
Page 3

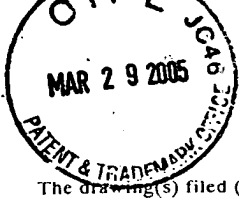
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being transmitted via facsimile on this date to:	
Mail Stop	PGPUB Drawings,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
	3/24/05
John P. White	Date
Reg. No. 28,678	

  
John P. White  
Registration No. 28,678  
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NOTICE OF DRAFTSPERSON'S  
PATENT DRAWING REVIEW



The drawing(s) filed (insert date) 10-5-99 are:

A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.

B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:  
Black ink. Color.

Color drawings are not acceptable until petition is granted.  
Fig(s) \_\_\_\_\_  
Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

2. PHOTOGRAPHS. 37 CFR 1.84 (b)

1 full-tone set is required. Fig(s) \_\_\_\_\_  
Photographs not properly mounted (must use bristol board or photographic double-weight paper). Fig(s) \_\_\_\_\_  
Poor quality (half-tone). Fig(s) \_\_\_\_\_

3. TYPE OF PAPER. 37 CFR 1.84(e)

Paper not flexible, strong, white, and durable.  
Fig(s) \_\_\_\_\_  
Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) \_\_\_\_\_  
Mylar, velum paper is not acceptable (too thin).  
Fig(s) \_\_\_\_\_

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4)  
21.6 cm by 27.9 cm (8 1/2 x 11 inches)  
All drawing sheets not the same size.  
Sheet(s) \_\_\_\_\_

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm  
SIZE: A4 Size

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
SIZE: 8 1/2 x 11

Margins not acceptable. Fig(s) \_\_\_\_\_

Top (T) \_\_\_\_\_ Left (L) \_\_\_\_\_  
Right (R) \_\_\_\_\_ Bottom (B) \_\_\_\_\_

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes.

Partial views. 37 CFR 1.84(h)(2)

Brackets needed to show figure as one entity.

Fig(s) \_\_\_\_\_

Views not labeled separately or properly.

Fig(s) \_\_\_\_\_

Enlarged view not labeled separately or properly.

Fig(s) \_\_\_\_\_

7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)

Hatching not indicated for sectional portions of an object.

Fig(s) \_\_\_\_\_

Sectional designation should be noted with Arabic or

Roman numbers. Fig(s) \_\_\_\_\_

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

9. SCALE. 37 CFR 1.84(k)

Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) \_\_\_\_\_

10. CHARACTER OF LINES, NUMBERS, & LETTERS.

37 CFR 1.84(i)

Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality).

Fig(s) \_\_\_\_\_

11. SHADING. 37 CFR 1.84(m)

Solid black areas pale. Fig(s) \_\_\_\_\_

Solid black shading not permitted. Fig(s) \_\_\_\_\_

Shade lines, pale, rough and blurred. Fig(s) \_\_\_\_\_

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS.

37 CFR 1.84(p)

Numbers and reference characters not plain and legible.

Fig(s) 1-6

Figure legends are poor. Fig(s) \_\_\_\_\_

Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1)

Fig(s) \_\_\_\_\_

English alphabet not used. 37 CFR 1.84(p)(2)

Figs \_\_\_\_\_

Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3)

Fig(s) 1-6

13. LEAD LINES. 37 CFR 1.84(q)

Lead lines cross each other. Fig(s) \_\_\_\_\_

Lead lines missing. Fig(s) \_\_\_\_\_

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) \_\_\_\_\_

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

16. CORRECTIONS. 37 CFR 1.84(w)

Corrections not made from prior PTO-948 dated \_\_\_\_\_

17. DESIGN DRAWINGS. 37 CFR 1.152

Surface shading shown not appropriate. Fig(s) \_\_\_\_\_

Solid black shading not used for color contrast.

Fig(s) \_\_\_\_\_

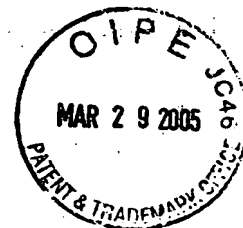
COMMENTS

REVIEWER Jc

DATE 10-27-99 TELEPHONE NO. 703 305 8430

ATTACHMENT TO PAPER NO. 10

## INFORMATION ON HOW TO EFFECT DRAWING CHANGES



### 1. Correction of Informalities--37 CFR 1.85

File new drawings with the changes incorporated therein. The application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application, should be placed on the back of each sheet of drawings in accordance with 37 CFR 1.84(c). Applicant may delay filing of the new drawings until receipt of the Notice of Allowability (PTOL-37). Extensions of time may be obtained under the provisions of 37 CFR 1.136. The drawing should be filed as a separate paper with a transmittal letter addressed to the Drawing Processing Branch.

### 2. Timing for Corrections

Applicant is required to submit **acceptable** corrected drawings within the three-month shortened statutory period set in the Notice of Allowability (PTOL-37). If a correction is determined to be unacceptable by the Office, applicant must arrange to have acceptable corrections resubmitted within the original three-month period to avoid the necessity of obtaining an extension of time and paying the extension fee. Therefore, applicant should file corrected drawings as soon as possible.

Failure to take corrective action within set (or extended) period will result in **ABANDONMENT** of the Application.

### 3. Corrections other than Informalities Noted by the Drawing Review Branch on the Form PTO-948

All changes to the drawings, other than informalities noted by the Drawing Review Branch, **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.